

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

---

In re:	)	
	)	Chapter 7
DECADE, S.A.C., LLC, et al.,	)	
	)	Bankruptcy Case No. 18-11668 (JKS)
Debtors.	)	

---

DAVID W. CARICKHOFF, solely in his	)	
capacity as Chapter 7 Trustee for estates of	)	
Decade S.A.C., LLC, et al.,	)	
	)	
Appellants,	)	
	)	
v.	)	C.A. No. 23-201 (MN)
	)	C.A. No. 23-203 (MN)
	)	
AARON GOODWIN, ERIC GOODWIN	)	
and XXII CAPITAL LIMITED,	)	
	)	
Appellees.	)	

---

XXII CAPITAL LIMITED,	)	
	)	
Appellant,	)	
	)	
v.	)	C.A. No. 23-209 (MN)
	)	
	)	
AARON GOODWIN, ERIC GOODWIN	)	
AND DAVID W. CARICKHOFF, SOLELY	)	
IN HIS CAPACITY AS CHAPTER 7	)	
TRUSTEE FOR THE ESTATES OF	)	
DECADE S.A.S., LLC, et al.,	)	
	)	
Appellees.	)	

---

AARON GOODWIN AND ERIC	)	
GOODWIN,	)	
	)	
Appellants,	)	
	)	
v.	)	C.A. No. 23-262 (MN)
	)	
DAVID W. CARICKHOFF SOLELY IN	)	
HIS CAPACITY AS CHAPTER 7	)	
TRUSTEE FOR THE ESTATES OF	)	
DECADE, S.A.C., LLC, et al.,	)	
	)	
Appellees.	)	

### **ORDER**

At Wilmington, this 5th day of April 2023;

WHEREAS, on March 27, 2023, then Chief Magistrate Judge Mary Pat Thyng issued a Recommendation<sup>1</sup> recommending that these matters be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court;<sup>2</sup> and

WHEREAS, in the Recommendation, Judge Thyng recommended a briefing schedule that attempted “to strike a balance” between what the parties were proposing (D.I. 13 at 3);

WHEREAS, no party filed objections to the Report pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period; and

WHEREAS, the Court finds no clear error on the face of the record and does not find the Recommendation to be clearly erroneous or contrary to law.

THEREFORE, IT IS HEREBY ORDERED that the Recommendation is ADOPTED and these matters are withdrawn from the mandatory referral for mediation.

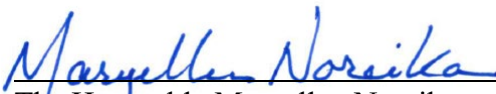
---

<sup>1</sup> D.I. 13 in C.A. Nos. 23-201 & 23-203; D.I. 8 in C.A. No. 23-209; and D.I. 4 in C.A. No. 23-262. All docket entry citations shall be to C.A. No. 23-201.

<sup>2</sup> On March 24, 2023, Judge Thyng held a teleconference with the parties “to explore the parties’ inability to agree to a briefing schedule.”

IT IS FURTHER ORDERED that the Court ADOPTS and ORDERS the following briefing schedule as proposed by Judge Thyng (Id.):

Appellants' Opening Briefs	May 17, 2023
Appellees' Response Briefs	June 28, 2023
Appellants' Reply Briefs	July 19, 2023

  
The Honorable Maryellen Noreika  
United States District Judge